

**UNITED STATES DISTRICT COURT
DISTRICT OF MARYLAND
BALTIMORE DIVISION**

BENJAMIN COLLINS,

Plaintiff,

v.

CIVIL ACTION NO.

UNIFIED ASSET SOLUTIONS, LLC,

Defendant.

PLAINTIFF’S COMPLAINT AND DEMAND FOR JURY TRIAL

BENJAMIN COLLINS (“Plaintiff”), through his attorneys, KROHN & MOSS, LTD., alleges the following against UNIFIED ASSET SOLUTIONS, LLC (“Defendant”):

INTRODUCTION

1. Plaintiff’s Complaint is based on the Fair Debt Collection Practices Act, 15 U.S.C. 1692 *et seq.* (FDCPA).

2. Defendant acted through its agents, employees, officers, members, directors, heirs, successors, assigns, principals, trustees, sureties, subrogees, representatives, and insurers.

JURISDICTION AND VENUE

3. Jurisdiction of this court arises pursuant to 15 U.S.C. 1692k(d), which states that such actions may be brought and heard before “any appropriate United States district court without regard to the amount in controversy.”

4. Defendant conducts business in the state of Maryland, and therefore, personal jurisdiction is established.

5. Venue is proper pursuant to 28 U.S.C. 1391(b)(2).

PARTIES

6. Plaintiff is a natural person residing in Owings Mills, Baltimore County, Maryland, and is obligated or allegedly obligated to pay a debt and is a “consumer” as that term is defined by 15 U.S.C. 1692a(3).

7. Defendant is a debt collector as that term is defined by 15 U.S.C. 1692a(6), and sought to collect a consumer debt from Plaintiff.

8. Plaintiff is informed and believes, and thereon alleges, that Defendant is a corporation located in Amherst, New York.

9. Defendant is a collection agency that in the ordinary course of business, regularly, on behalf of itself or others, engages in debt collection.

FACTUAL ALLEGATIONS

10. On or about June 8, 2011, Defendant called Plaintiff asking where he would be the next day at what time so Defendant could serve Plaintiff with papers.

11. Defendant informed client that he would have to call 888-280-0099 for more information.

12. Defendant refused to disclose to Plaintiff the name of the company calling.

13. Defendant failed to disclose to Plaintiff that the communication was from a debt collector.

COUNT I **DEFENDANT VIOLATED THE FAIR DEBT COLLECTION PRACTICES ACT**

14. Defendant violated the FDCPA based on the following:

- a. Defendant violated §1692d(6) of the FDCPA by failing to disclose to Plaintiff Defendant’s identity.
- b. Defendant violated §1692e of the FDCPA by misleading Plaintiff to believe that

a lawsuit was filed against him and he would be served with court papers.

c. Defendant violated §1692e(5) of the FDCPA by threatening to take any action that cannot legally be taken or that is not intended to be taken.

d. Defendant violated §1692e(10) of the FDCPA by attempting to collect on an alleged debt by falsely representing that there is a lawsuit filed against Plaintiff and he will be served with court papers.

WHEREFORE, Plaintiff, BENJAMIN COLLINS, respectfully requests judgment be entered against Defendant, UNIFIED ASSET SOLUTIONS, LLC, for the following:

15. Statutory damages of \$1,000.00, pursuant to the Fair Debt Collection Practices Act, *15 U.S.C. 1692k*;
16. Costs and reasonable attorneys' fees pursuant to the Fair Debt Collection Practices Act, *15 U.S.C. 1692k*; and
17. Any other relief that this Honorable Court deems appropriate.

RESPECTFULLY SUBMITTED,

By: /s/ Fredrick Nix
Fredrick Nix - Local Counsel
Law Office of Fredrick E. Nix
240 S Potomac Street
Hagerstown, MD 21740
Attorneys for Plaintiff

Of Counsel
Krohn & Moss, LTD.
10474 Santa Monica Blvd, Ste 401
Los Angeles, CA 90025

DEMAND FOR JURY TRIAL

PLEASE TAKE NOTICE that Plaintiff, BENJAMIN COLLINS, demands a jury trial in this case.

VERIFICATION OF COMPLAINT AND CERTIFICATION

(STATE OF MARYLAND

COUNTY OF BALTIMORE)

Plaintiff, BENJAMIN COLLINS, states the following:

1. I am the Plaintiff in this civil proceeding.
2. I have read the above-entitled civil Complaint prepared by my attorneys and I believe that all of the facts contained in it are true, to the best of my knowledge, information and belief formed after reasonable inquiry.
3. I believe that this civil Complaint is well grounded in fact and warranted by existing law or by a good faith argument for the extension, modification or reversal of existing law.
4. I believe that this civil Complaint is not interposed for any improper purpose, such as to harass any Defendant(s), cause unnecessary delay to any Defendant(s), or create a needless increase in the cost of litigation to any Defendant(s), named in the Complaint.
5. I have filed this Complaint in good faith and solely for the purposes set forth in it.
6. Each and every exhibit I have provided to my attorneys which has been attached to this Complaint is a true and correct copy of the original.
7. Except for clearly indicated redactions made by my attorneys where appropriate, I have not altered, changed, modified or fabricated these exhibits, except that some of the attached exhibits may contain some of my own handwritten notations.

Pursuant to 28 U.S.C. § 1746(2), I, BENJAMIN COLLINS, hereby declare (or certify, verify or state) under penalty of perjury that the foregoing is true and correct.

7/13/2011

Date


BENJAMIN COLLINS